REMARKS

Claims 1-15, 19-24, 40-44, and 56 are canceled without prejudice. Claims 17-18, 25-27, 29-39, 48-49, 52, and 57 are original. Claims 60 and 62 are previously presented. Claims 16, 28, 45-47, 50-51, 53-55, 58-59, and 61 are currently amended. Claims 63-67 are new. Claims 16-18, 25-39, 45-55, 57-67 are pending for consideration. In view of the following remarks, Applicant respectfully requests reconsideration and withdrawal of the rejections and forwarding of the application on to issuance.

Rejections Under 35 U.S.C. §102

Claims 1-2, 3, 7, 11-17, 19, 22, 24-30, 32, 34, 36-38, 40, 42-47, 49-50, 52-54, and 58 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,493,692 to Theimer et al. (hereinafter, "Theimer").

Claims 1-15, 19-24, 40-44, and 56 are canceled without prejudice. Thus, claims 1-2, 3, 7, 11-15, 19, 22, 24, 40, and 42-44 are not addressed. Applicant addresses the rejection of claims 16-17, 25-30, 32, 34, 36-38, 45-47, 49-50, 52-54, and 58 below.

Response to 35 U.S.C. §102 Rejections

Applicant respectfully submits that the Office has not established that Theimer anticipates the subject matter recited in each of the claims discussed below.

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Claim 16, currently amended, recites a method comprising:

- determining a location of a computing unit, <u>wherein the act of determining the location comprises receiving RF signals from a plurality of RF beacons having known locations and using environmental profiling to establish the location of the computing unit</u>;
- periodically transmitting, from the computing unit, the location of the computing unit to a network server together with a user name of a user using the computing unit; and
- including an active signal with the periodically transmitted information when the user is actively using the computing unit.

The Office addresses the amended language of claim 16 in its rejection of claim 19. In the Office's rejection of claim 19, the Office asserts that Theimer discloses that "the determining a location of a computing unit comprises receiving RF signals from a plurality of RF beacons having known locations and using environmental profiling to establish the location of the computer unit", relying solely on column 5, line 48 to column 6, line 14, for support. *Final Office Action, page 5.*

Applicant argues below that the relied-on portion of Theimer does not disclose receiving RF signals from a plurality of RF beacons having known locations and using environmental profiling to establish the location of the computing unit, as required by claim 16.

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For the Office's convenience, Applicant sets forth the portion of Theimer relied on by the Office in rejecting claim 19. Theimer states:

> Mobile communication and computer units connect to backbone 12 via radio and infrared transceivers 14 and 16 respectively. One advantage of using infrared as a medium is reuse of frequencies. Walls 13 are essentially opaque to infrared transmission. Thus, infrared transmissions in one room do not interfere with infrared transmissions in another. Individual rooms 11 are termed communication "cells" because of this effective partitioning. This useful property allows the reuse of the infrared bandwidth for each cell in the workplace. It will be appreciated that the use of infrared as a medium for wireless communication is well known in the art. Cell-based communication further allows determination of a person's location to the granularity of the cell size. That is, because the communication system must know how to route communications to the correct cell for a particular person or device, it also must know that person's or device's location, to the accuracy of the cell size.
>
> A similar communications partitioning is possible with a single radio frequency if the "near field" components produced by an antenna are used to couple the mobile units to the network. The term "near field" describes those field components of an energized antenna that do not give rise to propagating waves. The use of near field communication is disclosed in copending, coassigned U.S. patent application Ser. No. 07/984,821 entitled WIRELESS COMMUNICATIONS USING NEAR FIELD COUPLING, filed Dec. 3, 1992 by Richley et al., incorporated herein by reference. Although only radio and infrared transmission are employed for wireless communication in the presently preferred embodiment, it will be appreciated that other types of electromagnetic and acoustic transmission might be suitable. Additionally, it will be appreciated that multiple frequencies may be employed to partition the communication space into non-interfering cells.

Column 5, line 48 to column 6, line 14, emphasis added.

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First, the relied-on portion of Theimer does not disclose environmental profiling. Theimer directs his disclosure to partitioning a communication space into cells in contrast to using environmental profiling to establish a computing unit's location as required by claim 16. The Office relies on the above quotation to reject claim 19 under 102, yet in this quotation Theimer carefully describes partitioning a communication space into cells to determine a mobile unit's location and directs his disclosure to the importance of this partitioning.

For example, Theimer describes groups of radio and infrared transceivers 14 and 16, shown at Figure 1 with each group in a separate room 11. Theimer describes why these groups are in separate rooms—stating that each room 11 is defined as a separate communication "cell" because each transceiver is effectively partitioned into that room. *See column 5, lines 48-55.* Thus, a mobile unit communicating with either of these transceivers 14 or 16 may be deemed to be in that particular room on the basis of being in communication with that room's transceiver—not through environmental profiling.

Second, the Office's relied-on portion of Theimer does not disclose receipt of multiple or even a single RF signal from either of the room's transceivers. Instead, Theimer contemplates receiving a single infrared signal or a "near field" component of a single radio frequency to locate a mobile unit.

In the case of the "near field" component of a single radio frequency from radio transceiver 14, Theimer contemplates locating a unit within a cell partitioned with an electromagnetic field—not an RF signal. Theimer states that a communication space may be partitioned (e.g., into a cell) with "a single radio frequency if the 'near field' components produced by an antenna are used to couple the mobile units to the network." *Column 5, line 65 to column 6, line 7,*

emphasis added. Thus, Theimer teaches that a mobile unit may be coupled to a partition using a "near field" component produced by an antenna. To understand what Theimer means by a "near field" component, we look to how he describes them through the reference incorporated in the above quotation. This reference is now U.S. Pat. No. 5,437,057 to Richley et al., hereinafter "Richley".

While at first it may seem that Theimer discloses receiving a radio frequency to couple or locate mobile units, instead he is teaching use of an antenna that produces a radio frequency but specifically teaches that radio waves are not received to locate these mobile units. As mentioned, Theimer requires "near field" components. Richley, on which Theimer relies to explain "near field" components, teaches that "near field" components of a radio antenna are not radio waves. Richley states that "near field" components "consist of electro and magnetic fields." *Richley, column 2, lines 59-61.* Richley also discloses that "near field" components do not "give rise to propagating waves". *Richley, column 2, lines 55-56.* Radio waves, conversely, do give rise to propagating waves. Therefore, "near field" components are not radio waves.

Richley continues to contrast "near field" components with radio waves, teaching that these components "transfer real power only when a receiving antenna is sufficiently close to the transmitter (i.e., within its 'near field region')" and that this "is in stark contrast to the far field components which radiate energy even in the absence of a receiver." *Column 2, lines 61-65.*

With this understanding from Richley, Theimer's disclosure is best understood as teaching that "near field" components of an antenna that is emitting a single radio frequency may be used to couple mobile units to a network but not by receiving those radio waves.

Also, Richley—like Theimer—discloses cell-based partitioning rather than environmental profiling. Richley describes "near field" components as ones that are useful very close to the antenna that emits them with a goal to having them provide well-defined cell boundaries. *See Richley, column 11, lines 13-14, and column 10, lines 62-68.* Thus, Richley describes these components as being "bound" to the transmitting antenna. *Column 2, lines 59-61.* Richley sets forth an example of the range of these "near field" components, teaching that "[t]ransmitters and receivers constructed in accordance with the invention" produce a "near field pattern" having "a useful range of about 12-15 feet". *Richley et al., column 10, lines 62-68, emphasis added.* Because of the small cell size very near the radio antenna, Richley and Theimer presumably would not use environmental profiling to establish the location of the computing unit, as required by claim 16.

In the case of the infrared signal, Theimer describes use of a single, non-RF signal to locate a mobile unit. First, this is apparent because each infrared transceiver 16 effectively partitions each room 11 into a communication cell. *Theimer, column 5, lines 53-55.* Second, this is apparent because walls 13 are essentially opaque to infrared transmission, and thus, only one signal may be received at once. *Column 5, lines 51-52.* Third, this is apparent because infrared bandwidth may be reused for each cell. *Column 5, lines 55-57.* Because each infrared transceiver partitions each room into a communication cell and neighboring transceivers may reuse bandwidth, likely only one transceiver may be in communication with a mobile unit at a time. Theimer reinforces this logical conclusion at column 6, lines 51-56, where Theimer describes tab 26 (a mobile unit) moving into a communication "dead zone" where no transceiver may

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maintain contact. Thus, Theimer contemplates receipt of a single infrared signal, not multiple RF signals as required by claim 16.

Also, Theimer specifically teaches against using cellular phone or wide-area radio technology for locating a mobile unit. After describing the above-mentioned "near field" and infrared cell-partitioned communication manners, Theimer reinforces his teaching against radio frequency usage for locating a mobile unit. Theimer teaches that radio frequency technology is only used to communicate with a mobile unit—not for determining its location. Instead, infrared or "near field" radiation is used to locate a mobile unit. Theimer, in the next paragraph following the section relied on by the Office, states that:

> Communication facilities for the system of the present invention may be provided by other communication technologies. However, there must still be a facility for locating moving users and devices. For example, if people wear Active Badges which provide their location, then the Badge system will be able to locate them. Cellular phones or wide-area radio technologies may then be used to perform communications.
>
> *Column 6, lines 15-22, emphasis added.*

Accordingly, it is respectfully submitted that the Office has failed to show that Theimer discloses: 1) an act of determining a computing unit's location comprising receiving RF signals from a plurality of RF beacons; and 2) using environmental profiling to establish a location of the computing unit, both of which are required by claim 16.

For a 102 rejection to be proper, the Office must show that a reference *identically* discloses or describes the subject matter of the claim. See *Kalman v. Kimberly-Clark*, 713 F.2d 760, 771, 218 USPQ 781 (Fed. Cir. 1983).

Applicant respectfully submits that the Office has not shown that Theimer identically discloses or describes the language and features of claim 16. Therefore, withdrawal of the rejection of claim 16 is respectfully requested.

Claims 17 and 25-27 depend from claim 16 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features that, in combination with those recited in claim 16, are neither disclosed nor suggested in references of record, either singly or in combination with one another. Therefore, withdrawal of the rejections of claims 17 and 25-27 is respectfully requested.

Claim 28, currently amended, recites a system comprising:
- a server having memory;
- a user database stored in the memory of the server, the user database containing a user field for storing a user name of a mobile computer user, and a last known location field for storing a most recent location of a computer user identified in a corresponding user field;
- a wireless access point of a wireless local area network configured to receive RF network transmissions from one or more mobile computers;
- a mobile computer having memory and a wireless network interface for RF communication with the wireless access point of the wireless local area network;
- a location tracking system in the mobile computer memory configured to determine, based on a beacon packet's signal strength received from the wireless access point and using a previously established radio map, a location of the mobile computer;
- a location manager in the mobile computer memory configured to periodically transmit the location of the mobile computer and the user name of a mobile computer user to the server via the wireless network interface; and
- a computing unit having a computing unit location manager configured to search the user database of the server to determine information regarding the location of a mobile user.

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The Office's sited basis for rejecting claim 28 does not address a location tracking system in the mobile computer memory configured to determine, based on a beacon packet's signal strength received from the wireless access point and using a previously established radio map, a location of the mobile computer, as recited by claim 28.

Therefore, Applicant respectfully submits that the Office has not shown that Theimer identically discloses or describes the language and features of claim 28. Applicant respectfully requests that the Office withdraw its rejection of claim 28.

Claims 29, 30, 32, 34, and 36-38 depend from claim 28 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features that, in combination with those recited in claim 28, are neither disclosed nor suggested in references of record, either singly or in combination with one another. Therefore, withdrawal of the rejections of claims 29, 30, 32, 34, and 36-38 is respectfully requested.

Claim 45, currently amended, recites a mobile computing unit, comprising:
- memory;
- a wireless network interface configured to connect the mobile computing ~~unit to a~~ unit to multiple wireless access ~~point of a~~ points of one or more remote ~~server~~ servers;
- a location tracking service configured to determine a location of the mobile computer unit utilizing a radio frequency system capable of determining the location by detecting signals transmitted from multiple wireless access points; and
- a location manager configured to periodically transmit the location of the mobile computing unit to one or more of the remote ~~server~~ servers via the wireless network interface.

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The Office's sited basis for rejecting claim 45 does not address a location tracking service configured to determine a location of the mobile computer unit utilizing a radio frequency system capable of determining the location by detecting signals transmitted from multiple wireless access points, as recited by claim 45.

Therefore, Applicant respectfully submits that the Office has not shown that Theimer identically discloses or describes the language and features of claim 45. Applicant respectfully requests that the Office withdraw its rejection of claim 45.

Claims 46-47, 49-50, and 52-54 depend from claim 45 and are allowable as depending from an allowable base claim. These claims are also allowable for their own recited features that, in combination with those recited in claim 45, are neither disclosed nor suggested in references of record, either singly or in combination with one another. Therefore, withdrawal of the rejections of claims 46-47, 49-50, and 52-54 is respectfully requested.

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Claim 58, currently amended, recites a system comprising:

- a server having memory;
- a user database stored in the memory of the server, the user database containing a user field for storing a user name of a mobile computer user, and a last known location field for storing a most recent location of a computer user identified in a corresponding user field;
- a wireless access point <u>of a wireless local area network</u> configured to receive <u>radio frequency</u> network transmissions from one or more mobile computers;
- a mobile computer having memory and a wireless network interface for <u>radio frequency</u> communication with the wireless access point;
- a location tracking system in the mobile computer memory configured to determine a location of the mobile computer;
- a location manager in the mobile computer memory configured to transmit the location of the mobile computer and the user name of a mobile computer user to the server via the wireless network interface when a request to do so is received from the server; and
- a computing unit having a computing unit location manager configured to search the user database of the server to determine information regarding the location of a mobile user.

The Office's sited basis for rejecting claim 58 does not address a wireless access point of a wireless local area network configured to receive radio frequency network transmissions from one or more mobile computers or a mobile computer having memory and a wireless network interface for radio frequency communication with the wireless access point, as recited by claim 58.

Therefore, Applicant respectfully submits that the Office has not shown that Theimer identically discloses or describes the language and features of claim 58. Applicant respectfully requests that the Office withdraw its rejection of claim 58.

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Rejections Under 35 U.S.C. §103

Claims 4, 5, 6, 20, 21, 23, 33, 35, and 51 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theimer in view of U.S. Patent No. 5,781,150 to Norris (hereinafter, "Norris").

Claims 8, 9, 18, 31, 39, 48, 55, 57, and 59-62 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theimer in view of U.S. Patent No. 5,659,596 to Dunn (hereinafter, "Dunn").

Claim 56 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Theimer in view of Dunn and further in view of U.S. Patent No. 5,163,004 to Rentz (hereinafter, "Rentz").

Claims 1-15, 19-24, 40-44, and 56 are canceled without prejudice. Thus, claims 4-6, 8-9, 20, 21, 23, and 56 are not addressed. Applicant addresses the rejection of claims 18, 31, 33, 35, 39, 48, 51, 55, 57, and 59-62 below.

Response to 35 U.S.C. §103 Rejections

Applicant submits that the Office's basis for rejecting the below-addressed claims fails to establish a *prima facie* case of obviousness for these claims. In view of the comments below, Applicant respectfully requests that the Office withdraw its rejections. Before discussing the substance of the Office's rejections, however, a section entitled "The §103 Standard" is provided and will be used in addressing the Office's rejections.

The §103 Standard

To establish a *prima facie* case of obviousness, the prior art reference (or references when combined) must teach or suggest all the claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974).

Applicant first addresses independent claims 55, 59, and 61, followed by the dependent claims also rejected under 103.

Applicant respectfully asserts that the Office fails to establish a *prima facie* case of obviousness in rejecting the subject matter of amended claim 55 by failing to show that the prior art references when combined teach or suggest all the claim limitations as required by *In re Royka, supra.*

Claim 55, currently amended, recites a method for locating a mobile computer user in a wireless network, comprising:
- periodically identifying a location of a mobile computer that is used by a mobile user and associating a time stamp with the location indicating a time at which the location was identified, wherein the periodically identifying a location of a mobile computer further comprises identifying the location of the mobile user by measuring relative strengths of radio frequency transmissions emitted from a plurality of base stations;
- transmitting the location of the mobile computer to a network server together with the time stamp and a name of the mobile user;
- storing the transmitted information on the network server;
- receiving a request from a computing unit for the location of the mobile user;
- determining the last known location of the mobile computer by accessing the network server and finding the location having a most recent time stamp; and
- recognizing the last known location of the mobile computer as the location of the mobile user.

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The Office addresses the amended language of claim 55 in its rejection of claim 56. In the Office's rejection of claim 56, the Office states that:

> Regarding claim 56, the combination of Theimer and Dunn does not explicitly indicate identifying the location of the mobile user by measuring relative strengths of radio frequency transmissions emitted from a plurality of base stations. Rentz teaches a system that can track mobile devices based on RF signal strength (Column 3, lines 1-8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use Rentz's teaching of tracking devices based on the RF signal and Theimer's user location system in order to track the device using a simple and effective means with only one station needed (Column 2, lines 40-52).

Final Office Action, page 17, first paragraph.

For the Office's convenience, Applicant sets forth the portion of Rentz relied on by the Office in rejecting claim 56. Rentz states:

> The invention also includes a mobile receiving station simultaneously receiving the different frequency signals and responsive thereto to convert each frequency signal to a common frequency and simultaneously comparing the phase difference therebetween to produce an output signal indicative of the location of the mobile receiving station relative to the location of the transmitting stations.

Rentz, column 3, lines 1-8.

> Another object of the present invention is to provide a relatively simple yet effective position tracking system that utilizes a receive-only mobile unit.
>
> Still another object of the present invention is to provide a unique position tracking system that simultaneously compares the phase difference between three like-frequency signals, two of which signals originally being transmitted at a frequency different from the third signal and from each other. ·

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Yet another object of the present invention is to provide a flexible and useful position tracking system that allows a mobile receiving-only station to produce a range indication to the next green of interest on a golf course.

Rentz, column 2, lines 40-52.

Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness with the above-cited portion of Rentz. As is apparent in these quotations, Rentz does not disclose using signal strengths to identify a location of the mobile user, as required by amended claim 55.

Further, Applicant submits that no where does Rentz teach use of signal strengths to locate a mobile unit. Instead, Rentz strongly and unequivocally teaches the opposite at column 2, lines 11-12, stating "the present invention does not rely on inherently inaccurate signal strength comparisons."

Accordingly, Applicant respectfully requests that the rejection of claim 55 under 103 be withdrawn.

Claim 59, currently amended, recites a method comprising:
- receiving, at a server of a wireless local area network and from a mobile computer within the wireless local area network, multiple locations of the mobile computer, each of the multiple locations received at recurring time periods and determined using RF signals received from a plurality of RF beacons;
- time-stamping each of the multiple locations based on the recurring time periods at which each of the multiple locations is received;
- receiving, at the server, a request from a computing unit for a current location of a mobile computer user;
- determining that the mobile computer user is identified with the mobile computer;
- determining which of the multiple locations has a most-recent time-stamp; and
- transmitting the location having the most-recent time-stamp to the computing unit.

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Applicant respectfully asserts that the Office's argument fails to establish a *prima facie* case of obviousness for rejecting the subject matter of amended claim 59. Claim 59 recites, for example, a server receiving, at a wireless local area network and from a mobile computer within the wireless local area network, multiple locations of the mobile computer, each of the multiple locations received at recurring time periods and determined using RF signals received from a plurality of RF beacons. This subject matter is not addressed in the Office's rejection of claim 59, as required by *In re Royka, supra*.

Applicant respectfully requests that the rejection of claim 59 under 103 be withdrawn.

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Claim 61, currently amended, recites a method comprising:

- receiving, at a server of a wireless <u>local area</u> network and sent from a mobile computer within the wireless <u>local area</u> network, multiple locations of the mobile computer, each of the multiple locations sent at recurring time periods;
- time-stamping each of the multiple locations based on the recurring time periods at which each of the multiple locations is sent;
- receiving, at the server, a request from a computing unit for a current location of a mobile computer user;
- determining that the mobile computer user is identified with the mobile computer;
- determining which of the multiple locations has a most-recent time-stamp;
- calculating a time differential between a current time and the most-recent time stamp;
- comparing the time differential with a pre-defined time threshold; and
- transmitting the location having the most-recent time-stamp to the computing unit if the time differential is less than that of the pre-defined time threshold; or
- invoking a location tracking service to identify, <u>based on signal strengths of beacon packets and using a previously established radio map</u>, a more-current location of the mobile computer if the time differential is greater than the pre-defined time threshold;
- receiving a more-current location of the mobile computer; and
- transmitting the more-current location to the computing unit.

Applicant respectfully asserts that the Office's argument fails to establish a *prima facie* case of obviousness for rejecting the subject matter of amended claim 61. Claim 61 recites, for example, invoking a location tracking service to identify, based on signal strengths of beacon packets and using a previously established radio map, a more-current location of the mobile computer if the time differential is greater than the pre-defined time threshold. This subject matter is not addressed in the Office's rejection of claim 61, as required by *In re Royka, supra*.

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Applicant respectfully requests that the rejection of claim 61 under 103 be withdrawn.

Dependent Claims 18, 31, 33, 35, 39, 48, 51, 57, 60, and 62

Claim 18 stands rejected under §103 based on Theimer in view of Dunn. Applicant respectfully submits that the portion of Dunn recited by the Office in its rejection of claim 18 does not provide the deficiency in the Office's rejection of claim 16, on which this claim depends. For at least this reason, Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness under §103. Claim 18 is also allowable for its own recited features that, in combination with those recited in claim 16, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Claim 31 stands rejected under §103 based on Theimer in view of Dunn. Applicant respectfully submits that the portion of Dunn recited by the Office in its rejection of claim 31 does not provide the deficiency in the Office's rejection of claim 28, on which this claim depends. For at least this reason, Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness under §103. Claim 31 is also allowable for its own recited features that, in combination with those recited in claim 28, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Claims 33 and 35 stand rejected under §103 based on Theimer in view of Norris. Norris is relied upon by the Office for GPS and other position-related teachings. Applicant respectfully submits that the portions of Norris recited by the Office in its rejection of claims 33 and 35 do not provide the deficiencies in the Office's rejection of claim 28, on which these claims depend. For at least this

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reason, Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness under §103. Claims 33 and 35 are also allowable for their own recited features that, in combination with those recited in claim 28, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Claim 48 stands rejected under §103 based on Theimer in view of Dunn. Applicant respectfully submits that the portion of Dunn recited by the Office in its rejection of claim 48 does not provide the deficiency in the Office's rejection of claim 45, on which this claim depends. For at least this reason, Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness under §103. Claim 48 is also allowable for its own recited features that, in combination with those recited in claim 45, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Claim 51 stands rejected under §103 based on Theimer in view of Norris. Norris is relied upon by the Office for GPS and other position-related teachings. Applicant respectfully submits that the portions of Norris recited by the Office in its rejection of claim 51 do not provide the deficiencies in the Office's rejection of claim 45, on which this claim depends. For at least this reason, Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness under §103. Claim 51 is also allowable for its own recited features that, in combination with those recited in claim 45, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Claim 57 stands rejected under §103 based on Theimer in view of Dunn. Applicant respectfully submits that the portion of Dunn recited by the Office in its rejection of claim 57 does not provide the deficiency in the Office's rejection of

claim 55, on which this claim depends. For at least this reason, Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness under §103. Claim 57 is also allowable for its own recited features that, in combination with those recited in claim 55, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Claim 60 stands rejected under §103 based on Theimer in view of Dunn. Applicant respectfully submits that the portion of Dunn recited by the Office in its rejection of claim 60 does not provide the deficiency in the Office's rejection of claim 59, on which this claim depends. For at least this reason, Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness under §103. Claim 60 is also allowable for its own recited features that, in combination with those recited in claim 59, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Claim 62 stands rejected under §103 based on Theimer in view of Dunn. Applicant respectfully submits that the portion of Dunn recited by the Office in its rejection of claim 62 does not provide the deficiency in the Office's rejection of claim 61, on which this claim depends. For at least this reason, Applicant respectfully submits that the Office has failed to establish a *prima facie* case of obviousness under §103. Claim 62 is also allowable for its own recited features that, in combination with those recited in claim 61, are neither disclosed nor suggested in references of record, either singly or in combination with one another.

Conclusion
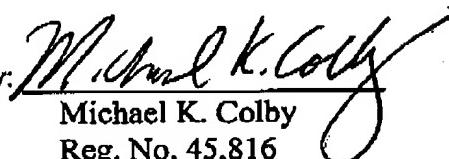
Applicant respectfully requests reconsideration and allowance of the pending claims.

Respectfully Submitted,

Date: _8 Apr 05_

By: _Michael K. Colby_
Michael K. Colby
Reg. No. 45,816

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